

AMENDED IN SENATE APRIL 9, 2007

SENATE BILL

No. 211

Introduced by Senator Cox

February 8, 2007

An act to amend ~~Section 129787~~ *Sections 129787 and 129895* of the Health and Safety Code, relating to seismic safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 211, as amended, Cox. Seismic safety: application filing fees.

Existing law, the Alfred E. Alquist Hospital Facilities Seismic Safety Act of 1983, requires the Office of Statewide Health Planning and Development (OSHPD) to assume certain duties relating to the review of project applications for construction and alteration of health facility buildings. OSHPD is required to determine an application filing fee to cover the cost of administering the act, in accordance with prescribed limitations. Existing law authorizes postponement of the fee's payment if specified requirements are met, including a requirement that the proposed construction or alteration has been proposed as a result of a seismic event that has been declared to be a disaster by the Governor.

This bill would revise this requirement to instead require the proposed construction or alteration to be proposed as a result of any event that has been declared a disaster by the Governor.

Existing law requires the office to adopt regulations establishing seismic safety standards for hospital equipment anchorages.

This bill would require that the regulations include, but not be limited to, standards for architectural, mechanical, and electrical supports.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 129787 of the Health and Safety Code
2 is amended to read:

3 129787. (a) The payment of the filing fee described in Section
4 129785 may be postponed by the office if all of the following
5 conditions are met:

6 (1) The proposed construction or alteration has been proposed
7 as a result of any event that has been declared to be a disaster by
8 the Governor.

9 (2) The office determines that the applicant cannot presently
10 afford to pay the filing fee.

11 (3) The applicant has applied for federal disaster relief from the
12 Federal Emergency Management Agency (FEMA) with respect
13 to the disaster described in paragraph (1).

14 (4) The applicant is expected to receive disaster assistance within
15 one year from the date of the application.

16 (b) If the office does not receive full payment of any fee for
17 which payment has been postponed pursuant to subdivision (a)
18 within one year from the date of plan approval, the statewide office
19 may request an offset from the Controller for the unpaid amount
20 against any amount owed by the state to the applicant, and may
21 request additional offsets against amounts owed by the state to the
22 applicant until the fee is paid in full. This subdivision shall not be
23 construed to establish an offset as described in the preceding
24 sentence as the exclusive remedy for the collection of any unpaid
25 fee amount as described in that same sentence.

26 SEC. 2. *Section 129895 of the Health and Safety Code is*
27 *amended to read:*

28 129895. (a) The office shall adopt by regulations seismic safety
29 standards for hospital equipment anchorages, as defined by the
30 office, *to include, but not be limited to, architectural, mechanical,*
31 *and electrical supports and attachments.* Those regulations shall
32 include criteria for the testing of equipment anchorages.

33 (b) Any fixed hospital equipment anchorages purchased or
34 acquired on or after either the effective date of the regulations
35 adopted pursuant to subdivision (a), shall not be used or installed
36 in any hospital building unless the equipment anchorages are
37 approved by the office.

1 (c) Manufacturers, designers, or suppliers of equipment
2 anchorages may submit data sufficient for the office to evaluate
3 equipment anchorages' seismic safety prior to the selection of
4 equipment anchorages for any specific hospital building.

5 (d) The office may charge a fee based on the actual costs
6 incurred by it for data review, approvals, and field inspections
7 pursuant to this section.

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